

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EDWARD ALVARADO, *et al.*,

No. C 04-0098 SI

Plaintiffs,

**ORDER SETTING CASE MANAGEMENT
CONFERENCE**

v.

FEDERAL EXPRESS CORPORATION,

Defendant.

This order resolves a number of motions related to plaintiff Rivera's recently-filed motion to compel arbitration. The Court will not hold a hearing on January 16, 2009 on the motion to compel as requested by plaintiffs. Instead, the Court will hold a case management conference on **February 5, 2009** at 4:00 pm to set a schedule for resolving all remaining issues related to the interplead funds,¹ including plaintiff Rivera's motion to compel arbitration. In addition to the parties, counsel for all lienholders (except Michael Davis) are directed to appear at the case management conference.

Accordingly, the Court GRANTS plaintiffs' motion to enlarge time to file the reply on the motion to compel arbitration, DENIES plaintiffs' motion to shorten time on the hearing on the motion to compel (Docket Nos. 292 & 296 in 04-0099), and GRANTS Ms. Parker's request to file a substantive sur-reply to the motion to compel arbitration (Docket No. 1264). The Court notes that Ms. Parker's sur-reply states that Docket No. 1264 alternatively requested to seal certain documents filed by Mr. McCoy. Docket No. 1264 did not in fact request that any documents be sealed. The Court directs the parties to meet and confer regarding the sealing of the documents at issue, and if the parties are unable to agree

¹ The Court will issue an order on defendant's motion for declaratory relief, as well as the other pending motions regarding the interplead funds, shortly.

1 that the documents should be sealed, Ms. Parker may file an administrative motion to seal the
2 documents.

3
4 **IT IS SO ORDERED.**

5
6 Dated: January 14, 2009



SUSAN ILLSTON
United States District Judge